

REMARKS

The office action of March 16, 2010, has been carefully considered.

It is noted that claims 1-29 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-29 are rejected under 35 U.S.C. 103(a) over EP 0 879 927 to Demouy in view of the patent to Cook.

In view of the Examiner's rejections of the claims, applicant has amended claim 1.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 1 in an effort to clarify the construction of the comb-shaped body and "teeth". Applicant has attached as an Exhibit a copy of Fig. 3 with the body 62.4, radial teeth 36.4' and the cog indicated. The cog is hi-lighted in yellow and one of the radial teeth is indicated in blue. If the Examiner would like different nomenclature, applicant would also be willing to refer to the cogs

as teeth and the radial teeth as tines.

In view of these considerations it is respectfully submitted that the rejection of claims 1-29 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references. It is believed that the clarification of claim 1 helps bring out the features of the present invention that are not taught by the references.

Turning now to the references, and particularly to Demouy, it can be seen that this reference discloses a plate tumbler cylinder lock.

The patent to Cook was discussed at some length in the previously filed amendments and those comments are incorporated herein by reference.

The examiner combined Cook with Demouy in determining that claims 1-29 would be unpatentable over such a combination.

Applicant submits that the combination of references relied upon by the Examiner does not teach the invention recited in the claims presently on file. The combination of references does not teach that the tumblers are arranged in a common plane with the cogs and the radial teeth, as in the presently claimed invention, nor does the combination teach a construction having a comb with cogs that are perpendicular to the comb body and have radial teeth that are an extension of the cogs and in a common plane therewith. The comb inserts of Demouy do not have teeth that limit the movement of the tumblers, as in the presently claimed invention. In Demouy, the limitation of the extent of movement of the tumblers is due to the construction of the tumblers themselves, which engage in the comb inserts.

Additionally, the comb of Demouy has an angled surface that engages with the contour of the tumblers. This is intended to damp the movement of the tumblers.

Cook adds nothing to the teachings of Demouy so as to suggest the presently claimed invention. The combination does not teach a construction having a comb with cogs that are perpendicular to the comb body and have radial teeth that are an extension of the cogs and in a common plane therewith, and limit

the movement of the tumblers. Furthermore, Demouy has a completely different objective, namely to damp movement of the tumblers and thus gives no teaching concerning a construction that provides the benefits of the present invention, namely to securely hold the tumblers in the cylinder core so that they are not lost, and to prevent break-ins. There is no teaching by the references of a construction that can provide these features and benefits. Furthermore, the combination of references does not teach that the tumblers are arranged in the common plane with the cogs and the radial teeth, as in the presently claimed invention.

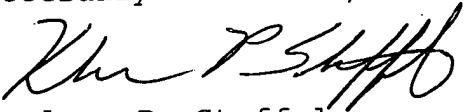
In view of these considerations, as well as those of the last filed amendment, it is respectfully submitted that the rejection of claims 1-29 under 35 U.S.C. 103(a) is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



Klaus P. Stoffel
Reg. No. 31,668
For: Friedrich Kueffner
Reg. No. 29,482
317 Madison Avenue, Suite 910
New York, New York 10017
(212) 986-3114

Dated: May 17, 2010

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on May 17, 2010.

By:



Klaus P. Stoffel

Date: May 17, 2010

Exhibit

App No. 10/550,635

5113

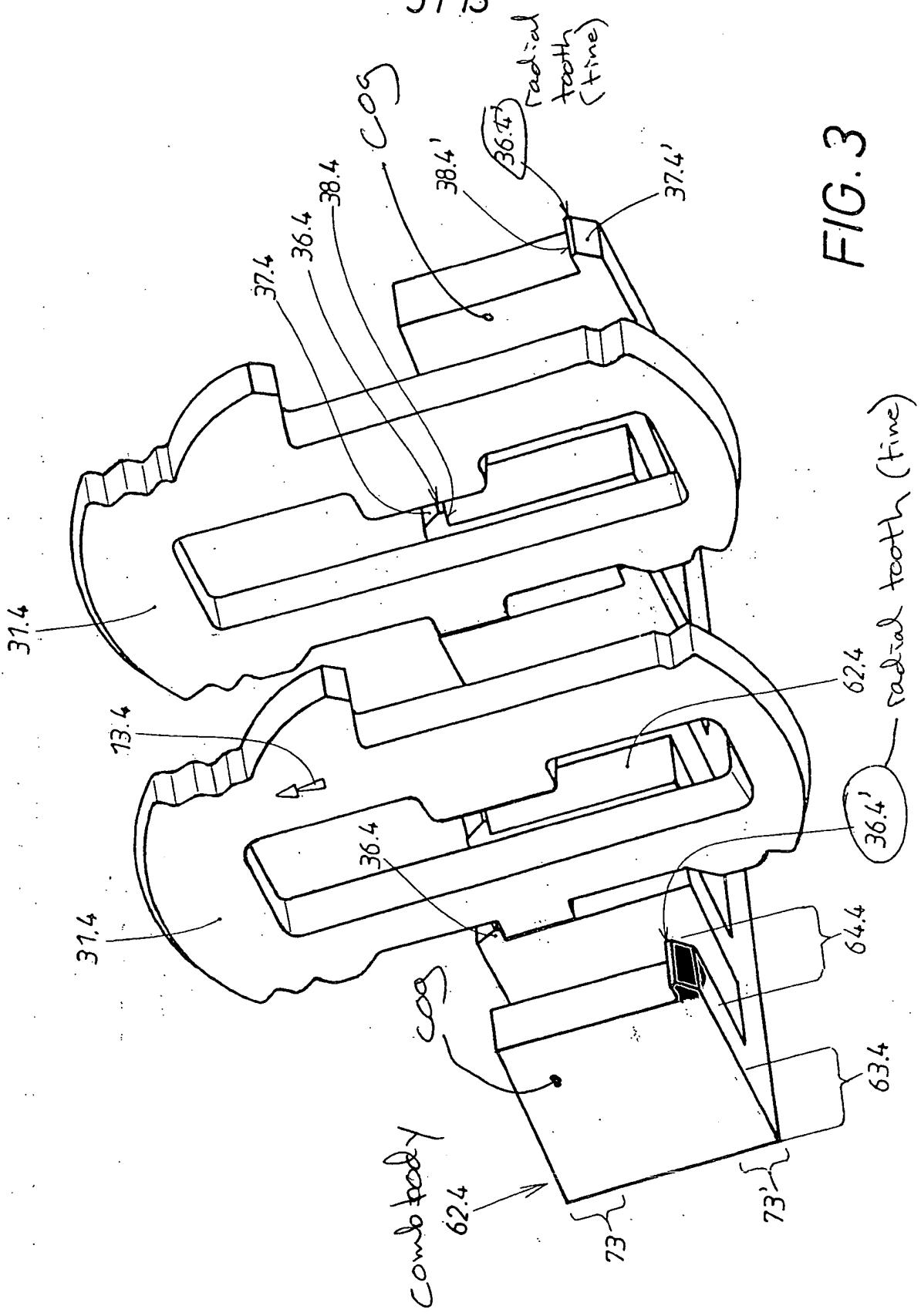


FIG. 3